



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Branch
CEPOA-CO-R
Post Office Box 6898
Elmendorf AFB, Alaska 99506-0898

PUBLIC NOTICE DATE: 17 March 2006
EXPIRATION DATE: 17 April 2006
REFERENCE NUMBER: POA-2006-194-4
WATERWAY: South Fork of Eagle River

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: Raven Properties, LLC, Post Office Box 112462, Anchorage, Alaska, 99511

AGENT: Travis/Peterson Environmental Consulting, Inc., 3305 Arctic Boulevard #102, Anchorage, Alaska, 99503

LOCATION: Off Hiland Road at the end of Birdsong Road, west of the South Fork of Eagle River; Sun Valley Heights Subdivision; within section 4, T. 13 N., R. 1 W., Seward Meridian; Latitude 61.250° N., Longitude -149.470° W.; USGS Quad Maps Anchorage A-7 NW and Anchorage B-7 SW; near Eagle River, Alaska.

PURPOSE: To develop a sixty-two (62) acre subdivision consisting of thirty-seven (37) residential lots for sale to home builders.

WORK: Approximately 6.9 acres of wetlands, unmapped in the 1996 Anchorage Wetlands Management Plan, will be excavated and filled with approximately 30,064 cubic yards of pit-run gravel fill and 1,096 cubic yards of topsoil, for the construction of thirty-seven (37) house pads, driveways, RV parking pads, heap leach septic fields, water well access pads, and lawns. Each typical lot and typical flag lot will have buried electrical, natural gas, telephone, and cable TV utilities.

ADDITIONAL INFORMATION: An access road to the proposed subdivision was cleared and constructed in 1983, encompassing approximately 5.0 acres and varying between sixty (60) and one hundred (100) feet wide. The proposed development will upgrade the existing road and all drainage structures to Municipality of Anchorage (MOA) standards, all while avoiding a discharge of fill into adjacent wetlands. The existing road will serve as the main access road during construction; fill material will not be stockpiled in wetlands beyond the proposed project

footprint(s). The improved road will provide emergency access through the property to surrounding subdivisions and improve response time.

All drainage improvements, including the removal of ditch obstructions, will follow the ditch lines of the existing road. Natural drainage will be re-established and not altered with road improvements. Five (5) proposed 18-inch CMP culverts will be installed at various points along the existing road; additional 18-inch CMP culverts shall be placed at most driveways. The Municipality of Anchorage (MOA) may require a storm drain system to prevent glaciation during winter months, to be installed in approximately 45% of uphill ditches. The storm drain system would daylight onto downhill roadside drainage ditches or onto drainage easements. Any open drainage currently existing that flows through lots will not be altered and will be protected by setback codes which have been accounted for in the placement of lot-lines. An additional drainage ditch currently exists along the entire western property boundary.

Project boundaries shall be clearly identified in the field; equipment will end-dump the fill and push and compact the material into place.

All builders, contractor, subcontractors, equipment operators, and laborers will be advised of the wetland permit terms and conditions.

A Stormwater Pollution Prevention Plan (SWPPP) will be developed in accordance with the National Pollutant Discharge Elimination System (NPDES) General Permit for construction activities in Alaska. The SWPPP will be implemented before commencing construction.

Brush clearing will occur around the existing road and proposed house pads only; clearing shall not occur between June 1 and July 1, 2006. Construction will begin in May, 2006 and finish in August, 2006; construction of individual homes will begin in August, 2006 and end December, 2011.

MITIGATION: As a result of pre-application coordination, the applicant has incorporated into the proposed project the following mitigation efforts to reduce impacts to the aquatic environment:

1. A 65-foot wide, 2,000-foot long Conservation Tract (totaling 3.02 acres) and 65-foot wide Conservation Easement will be established along the eastern lots on the western bank of the South Fork of the Eagle River. Raven Properties will provide signs notifying the lot owners of the protected area and not to disturb the wetlands.
2. Raven Properties, LLC propose to record covenants and restrictions for the lots within the Sun Valley Heights Subdivision. The protective covenants will notify lot owners of the Conservation Easement and Conservation Tract; permit stipulations will also be incorporated in the covenants.
3. Approximately 1.5 acres of previously-filled wetlands will be restored to the pre-1983, undisturbed condition, and revegetated with native plant species. The restoration will take place between two proposed cul-de-sacs, involving the removal of fill material below grade and spreading existing topsoil already mounded on site. Remediation areas will be seeded with a

field mix to achieve approximate native ground cover and stabilization; seeding shall take place between May 15th and September 15th, 2006, and shall conform to the following table:

Component	Composition	Application Rate (per MSF)
Seed	<ul style="list-style-type: none"> • 10% Lolium multiflorum/Annual Rye • 45% Festuca rubra var. Arctared Fescue • 45% Festuca rubra var. Boreal Fescue 	3.0 lbs
Fertilizer	8-32-16	12.0 lbs

4. Raven Properties, LLC is proposing to construct the minimum pad and driveway sizes required to support a home.
5. Stormwater management measures will be properly implemented to minimize impacts to the South Fork of the Eagle River; these measures include both immediate and long-term erosion and sedimentation protection for all fills, stockpiles, and exposed slopes containing materials finer than gravel.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRs) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRs constitutes the extent of cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between the Federal government and Federally recognized Tribes. This notice invites participation by agencies, Tribes, and members of the public in the Federal decision-making process. In addition, Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Engineer during the public comment period.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. et seq and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS).

We have determined that the described activity within the proposed area will not adversely affect EFH, including anadromous fish and federally managed fishery resources.

SPECIAL AREA DESIGNATION: None.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. **Please contact Ms. Tracy DeGering**

at (907) 753-2712, toll free from within Alaska at (800) 478-2712, or by email at regpagemaster@poa02.usace.army.mil if further information is desired concerning this notice.

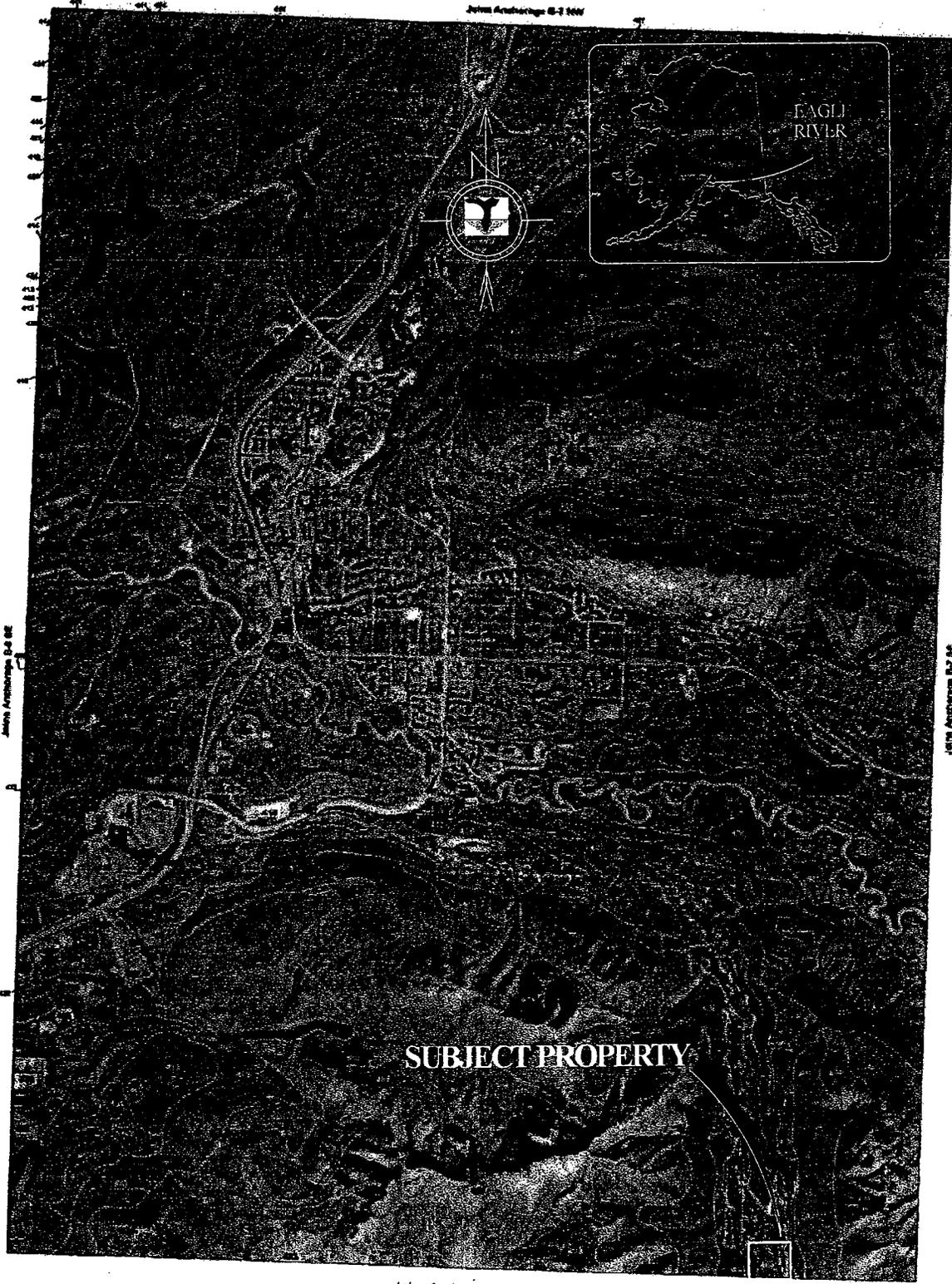
AUTHORITY: This permit will be issued or denied under the following authorities:

(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

A plan, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer
U.S. Army, Corps of Engineers

Attachments



Anchorage Soil Survey, Alaska
 USDA/NRCS
 National Publication Number: 16452901
 Image: 1986 Orthophoto - NA08117041
 Map copy constructed at a scale of 1:25,000

0 300 600 Feet

Anchorage B-7 SW

TRAVIS/PETERSON ENVIRONMENTAL CONSULTING, INC.
 3305 ARCTIC BLVD. #102
 ANCHORAGE, ALASKA 99503

RAVEN PROPERTIES LLC

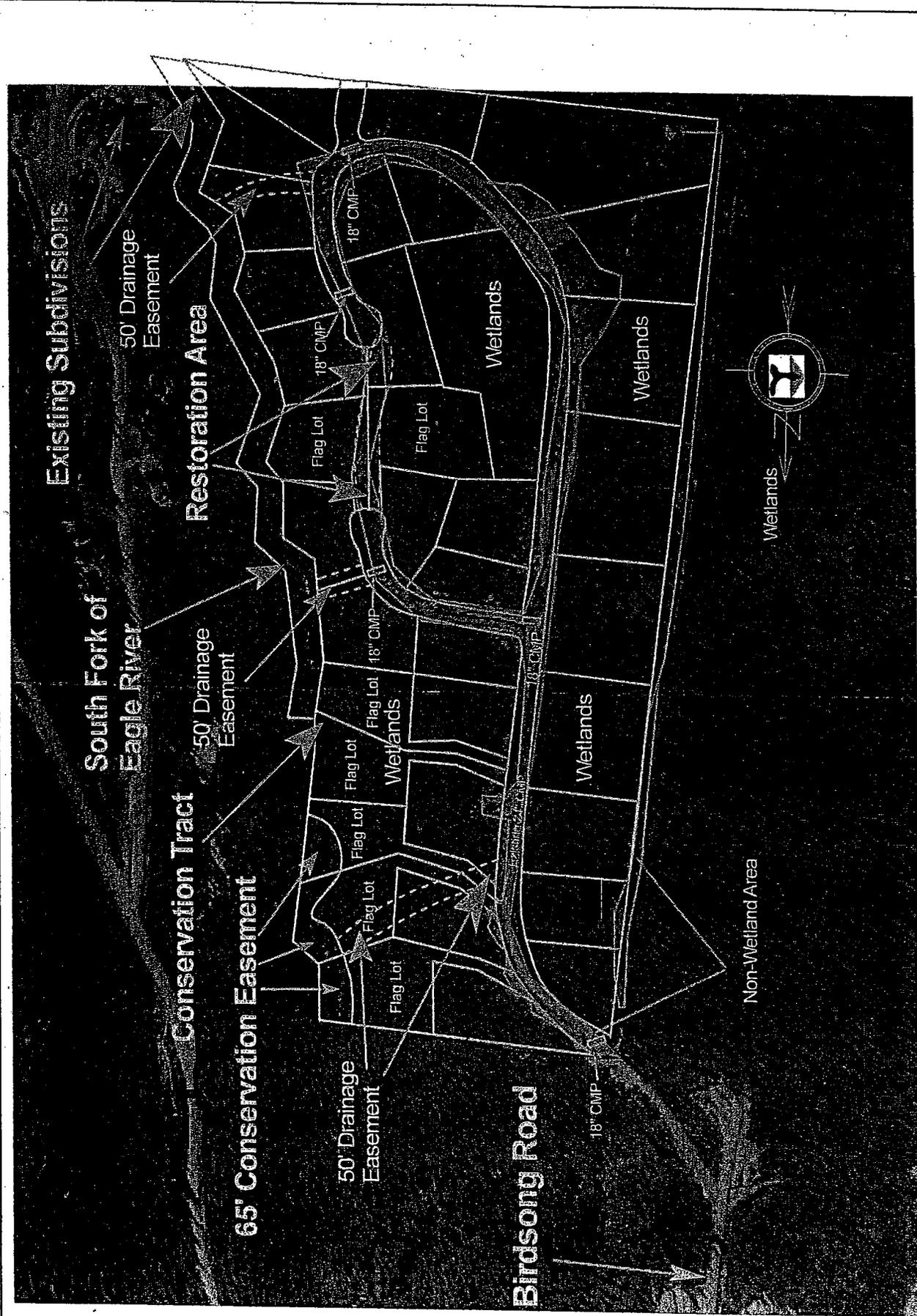
FIGURE 1
 LOCATION & VICINITY

PROJECT No: 1215-01

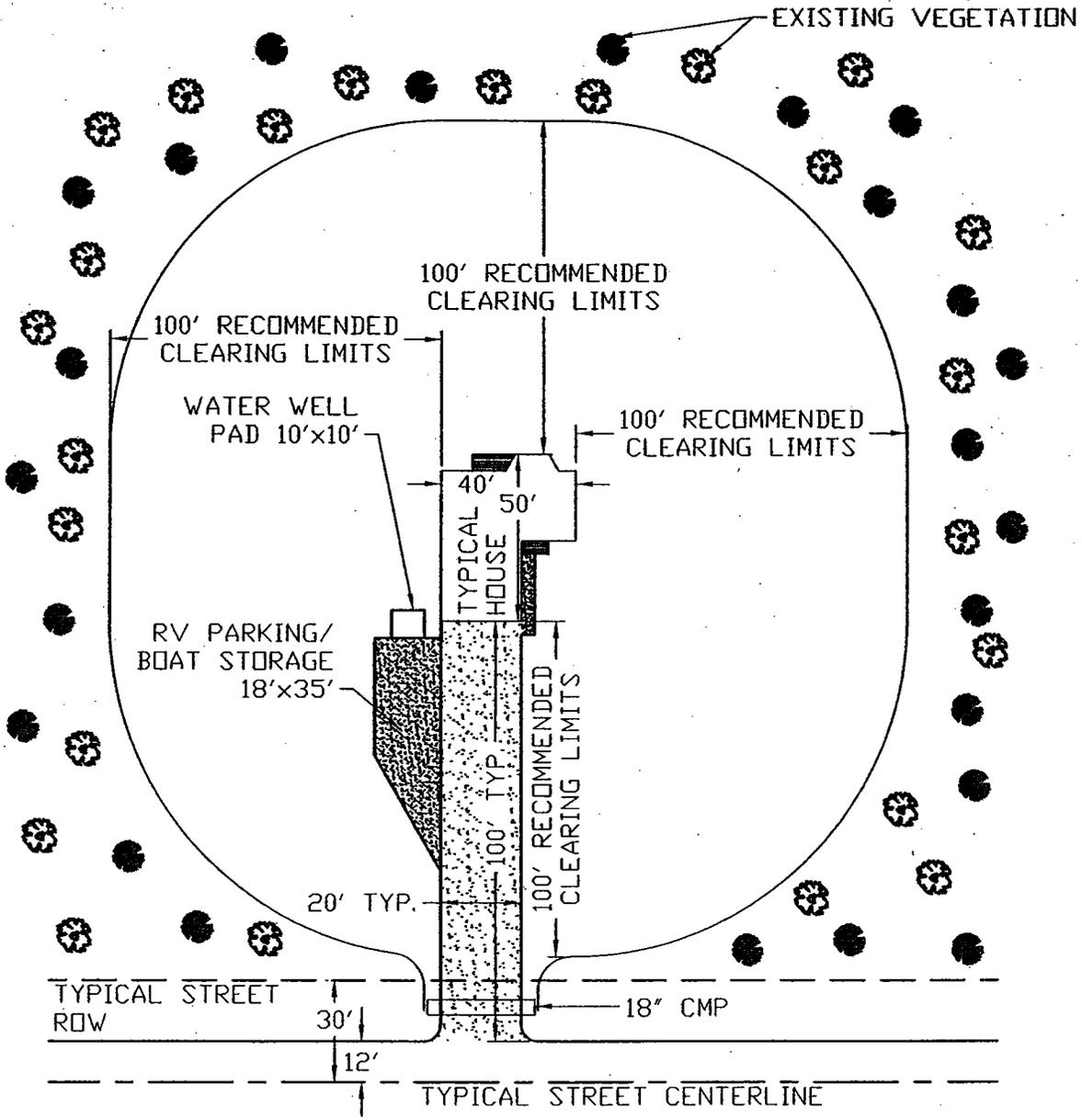
FILE: 1215/01/Figures

DATE: 11/21/05

SCALE: NO SCALE



TRAVIS/PETERSON ENVIRONMENTAL CONSULTING, INC. 3305 ARCTIC BLVD. #102 ANCHORAGE, ALASKA 99503	RAVEN PROPERTIES LLC
PROJECT No: 1215-01	FILE: 1215/01/Figures/Figure 2.sld
FIGURE 2 PROPOSED SUBDIVISION AND WETLANDS AREAS	DATE: 02/16/06
SCALE: NO SCALE	SCALE: NO SCALE

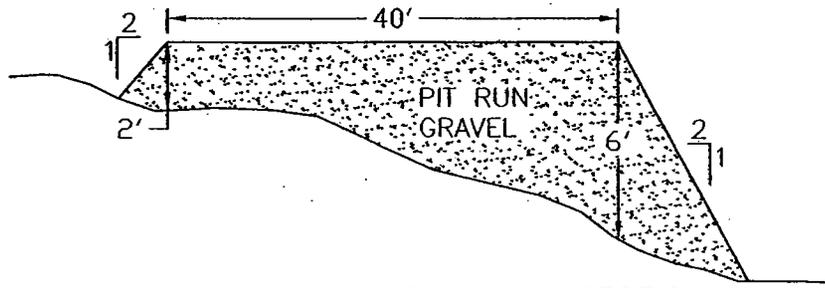


NOTES:

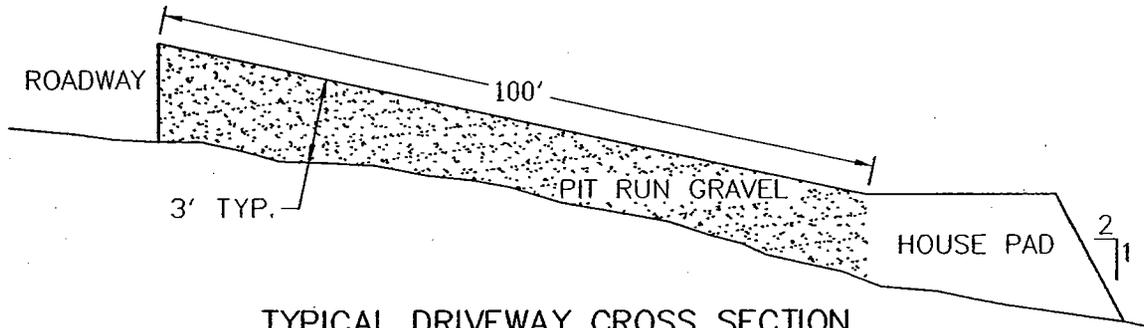
1. ALL AREAS DISTURBED BY CONSTRUCTION MUST BE REVEGETATED.
2. TYPICAL LAWN AREA REQUIRING FILL TO BE APPROXIMATELY 1,600 S.F. THIS AREA TO BE AROUND HOUSE.
3. 30'x30' HEAP LEACH FIELDS TO BE LOCATED ON LOTS WITH ADEC APPROVED SEPARATION DISTANCES FROM WATER WELLS.
4. LENGTHS OF DRIVEWAYS ON FLAG LOTS TO VARY BETWEEN 200 AND 325 FEET LONG.

LOT SCHEMATIC
SCALE: NTS

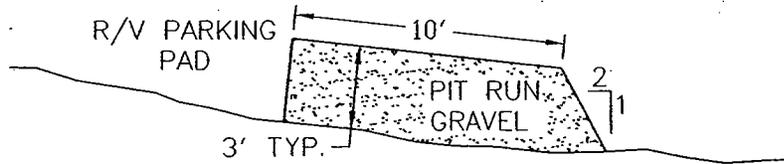
PURPOSE: CONSTRUCTION OF HOUSEPADS, DRIVEWAYS, RV PARKING PADS, HEAP LEACH FIELDS, AND WATER WELL ACCESS PADS. THE PROJECT WILL ALSO INCLUDE UPGRADING EXISTING ROADS.	PLAN VIEW OF TYPICAL LOT Travis/Peterson Environmental Consulting, Inc. 3305 Arctic Boulevard Suite 102 Anchorage, AK 99503	PROPOSED SUN VALLEY HEIGHTS SUBDIVISION IN: EAGLE RIVER, ALASKA APPLICATION BY: _____ SHEET: _____ DATE: _____
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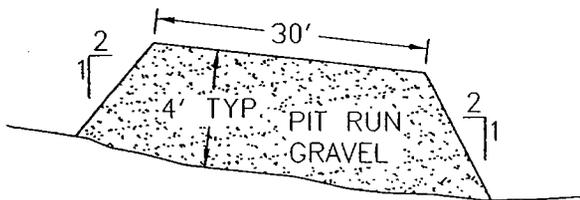
TYPICAL HOUSE PAD CROSS SECTION
SCALE: NTS



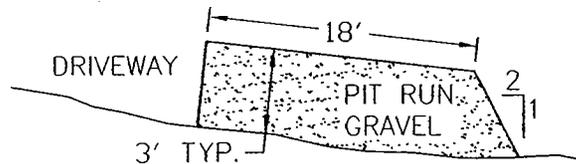
TYPICAL DRIVEWAY CROSS SECTION
SCALE: NTS



TYPICAL WATER WELL PAD CROSS SECTION
SCALE: NTS

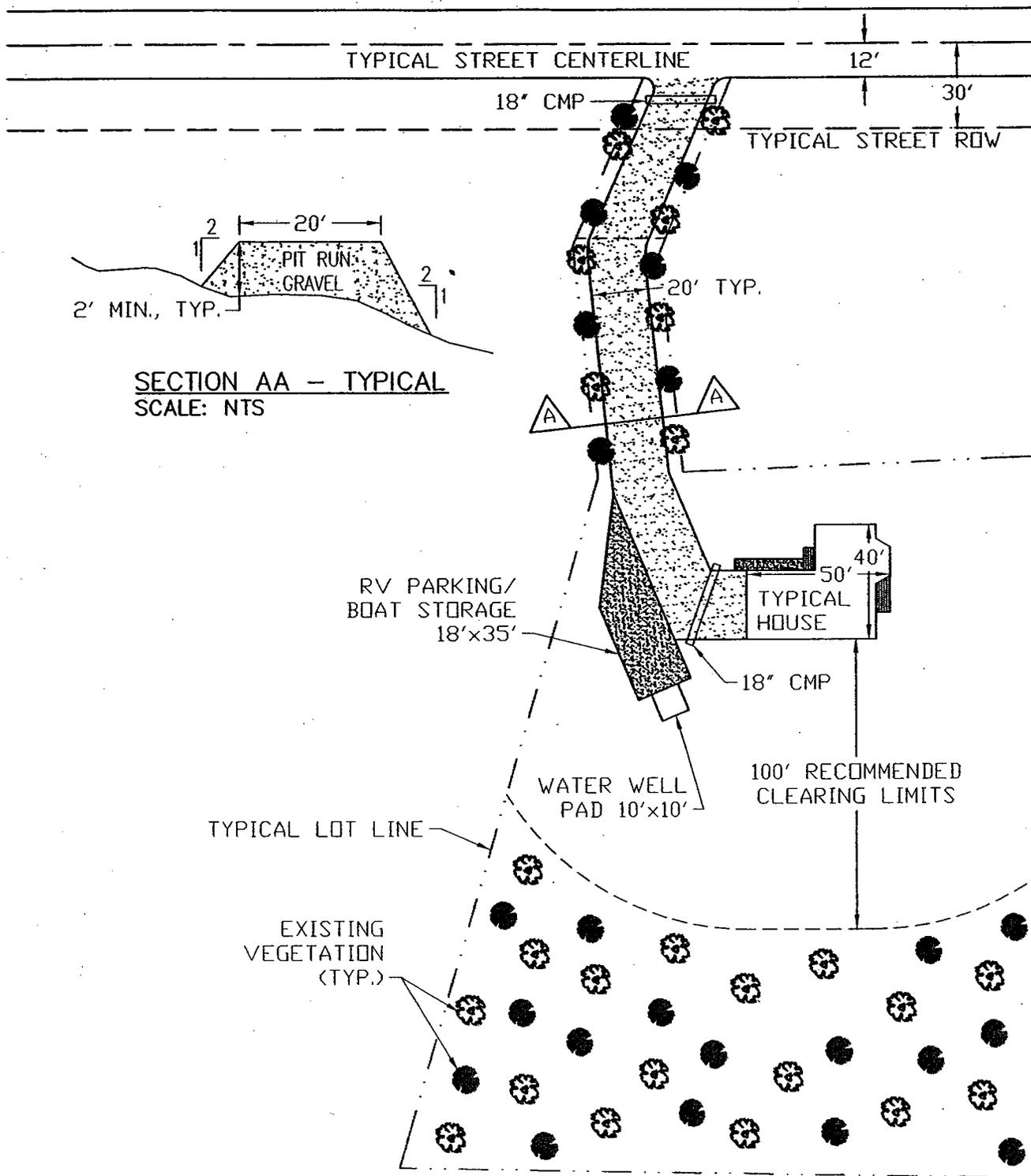


TYPICAL HEAP LEACH FIELD CROSS SECTION
SCALE: NTS



TYPICAL R/V PARKING & BOAT STORAGE PAD CROSS SECTION
SCALE: NTS

PURPOSE: CONSTRUCTION OF HOUSEPADS, DRIVEWAYS, RV PARKING PADS, HEAP LEACH FIELDS, AND WATER WELL ACCESS PADS. THE PROJECT WILL ALSO INCLUDE UPGRADING EXISTING ROADS.	SECTION VIEWS Travis/Peterson Environmental Consulting, Inc. 3305 Arctic Boulevard Suite 102 Anchorage, AK 99503	PROPOSED SUN VALLEY HEIGHTS SUBDIVISION IN: EAGLE RIVER, ALASKA APPLICATION BY: _____ SHEET: _____ DATE: _____
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SECTION AA - TYPICAL
SCALE: NTS

FLAG LOT DRIVEWAY SCHEMATIC
SCALE: NTS

<p>PURPOSE: CONSTRUCTION OF HOUSEPADS, DRIVEWAYS, RV PARKING PADS, HEAP LEACH FIELDS, AND WATER WELL ACCESS PADS. THE PROJECT WILL ALSO INCLUDE UPGRADING EXISTING ROADS.</p>	<p>TYPICAL FLAG LOT DRIVEWAY Travis/Peterson Environmental Consulting, Inc. 3305 Arctic Boulevard Suite 102 Anchorage, AK 99503</p>	<p>PROPOSED SUN VALLEY HEIGHTS SUBDIVISION IN: EAGLE RIVER, ALASKA APPLICATION BY: _____ SHEET: _____ DATE: _____</p>
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STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF WATER

401 Certification Program

Non-Point Source Water Pollution Control Program

NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. **POA-2006-194-4, South Fork of Eagle River** State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify that there is reasonable assurance that the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation
WQM/401 Certification
555 Cordova Street
Anchorage, Alaska 99501-2617
Telephone: (907) 269-6281
FAX: (907) 269-7508